Department of

OFFICE _____

STATION _____

No. 2846

Dated 12.10.32

E-5034
38

DESPATCHED
17 OCT 1933

Pages in the file

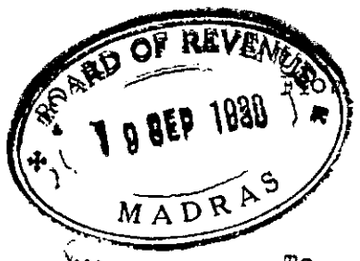
(SUBJECT.

Alienation land and Rivulet - South Kanara - Norpa
Shivadi village - S.NO. 130/10A2 Portion Plantation - Kadi
Hasan Vidyavardhaka Sangha - sanctioned.

E5034

Ref. C.No.3228-38-B3.

South Kanara Collector's Office,
Camp: Moodabidri, 14- 9- 1938.



20/9.38

Sri Rao Bahadur M. V. Vellodi, B.A.,
Collector of South Kanara.

To

The Secretary to the Board of Revenue,
Madras.

Sir,

Alienation - Land and Revenue - Udipi taluk - Shivalli village - S.No.130/10A portion - Play-ground - Kadiyali Higher Elementary School - Proposal -

---

I enclose applications for the alienation of land and revenue in respect of S.No.130/10A2 of Shivalli village, Udipi Taluk measuring 95 cents in favour of the Kadiyali Higher Elementary School for the purpose of a play-ground. Enquiry shows that the need for a play-ground to the school is real and the plot is suitable for the purpose. The Director of Public Instruction recommends the proposed alienation.

2. The plot is devoid of any tree growth or other improvements. I enclose a copy of the letter dated 9.9.38 of the Manager of the Kadiyali Higher Elementary School, agreeing to abide by the conditions offered in my letter dated 3.9.38. An extract of the conditions agreed to and a sketch of the plot are also enclosed. I do not recommend collection of land value as it is for a non-remunerative purpose.

For Collector.

Encls.in duplicate.
1. Applications.-
2. Letter of the Manager dated 9.9.38.
3. Sketches.
4. Extract of conditions agreed to.

P134 16.9.38.

Application for the alienation of Land in which the proprietary right belongs to the State.

(Standing Order No.24, Paragraph 17)

District:- South Kanara.

1. Description and area.	S.No.130/10A2 of Shivalli village, Udipi Taluk measuring 95 cents standing registered as site available for ground rent.
2. Market value.	Rs.475/- at Rs.500/- an acre.
3. Alienee and purpose of alienation.	The Manager, Kadiyali Higher Elementary School, Udipi for a play-ground.
4. Collector's remarks.	Recommended.

South Kanara Collector's Office,
Camp: Mudabidri, 14 - 9 - 1938.

For Collector.
16.9.38.

475-0-0.
26.7-3-0
742-3-0

Application for the alienation of Land Revenue payable to Government.
(Standing Order No. 24, Paragraph 17)

District:- South Kanara.

1. Description and area.	S.No.130/10A2 measuring 95 cents in Shivalli village, Udipi taluk standing registered as site available for ground rent.
2.(a) Annual ground rent.	(a) Rs.10-11-0 at Rs.11-4-0 an acre.
(b) Capitalised value (25 times assessment or ground-rent)	(b) Rs.267-3-0.
3. Alienee and purpose of alienation.	The Manager, Kadiyali Higher Elementary School, Udipi, for a play-ground.
4. Collector's remarks.	Recommended.

South Kanara Collector's Office,
Camp: Mudabidri, 14- 9- 1938.

For Collector.

11.9.38.

From the Manager, Kadiyali Higher Elementary School,
Udipi.
To the District Collector of South Kanara, Mangalore.
Kadiyali, Udipi, 9th September 1938.

Subject:- Alienation of land S.No.130/10A2 of Shivalli village, Udipi, for purpose of a playground to the school.

Ref.C.No.B3-3228-38 dated 3.9.1938.

With reference to your letter referred to above I beg to state that I am ever prepared to abide by all the conditions mentioned in respect of the alienation of the land referred to above.

Hoping to be favoured with my humble request at an early date.

/True copy/

For Collect

16.9.38.

Extract of conditions offered to the Manager, Kadiyali Higher Elementary School, Udipi, South Kanara in this office Ref.C.No. B3-3228-38, dated 3-9-1938.

The land shall be used for the purposes of a Play-ground attached to Kadiyali Higher Elementary school and for no other purposes.

Particulars of land.	
1. Taluk	Udipi.
2. Village	Shivalli
3. S.No.	130/10A2.
4. Extent	0.95 acre.
5. Assessment Ground rent.	10-11-0

2. No buildings shall be erected on the land without the previous permission of the Collector.

3. The Government may resume the land wholly or in part with any buildings thereon in the event of the infringement of any of the conditions of the grant. In the event of such resumption, no compensation shall be payable for any improvements that may have been effected or other works that may have been executed on the land by the grantee. If there are buildings on the land, the Government may direct the grantee to remove them.

4. The Government may resume the land wholly or in part with any buildings thereon if in the opinion of the Government, the land is required for a public purpose or for conducting mining operations.

5. In the event of resumption or acquisition of the plot for any reason, no compensation shall be payable for any buildings erected without permission.

6. In the event of resumption under condition 4, if there are buildings on the land, the Government may at their option either -

(a) purchase the buildings or

(b) direct the grantee to remove the buildings

7. In the event of the resumption of the land followed by the purchase of buildings under condition 6 or in the event of the acquisition of the land for any reason, the compensation payable for buildings or other improvements shall in no case exceed the initial cost or the value

or acquisition whichever may be/ less of any buildings erected or other improvements effected on the land by the grantee in accordance with the terms of the grant.

8. In the event of the grantee refusing to remove the buildings when so directed under conditions 3 or 6, the Government may remove them and realise the cost of removal by the sale of the materials.

9. In the event of the voluntary relinquishment of the land by the grantee, no compensation shall be payable fo any improvements that may have been effected or for work that may have been executed on the land by the grantee.

10. Full land revenue shall be levied if at any time the school derives any income out of the plot or if any of the conditions of alienation are infringed. In the latter case land revenue shall be levied from the date of infringement.

11. The market value of the land shall be collected if at any time it is found that the alienee derives a ------- substantial income from it.

12. The Government reserve to themselves the right to all sandalwood trees and their branches and roots which exist at the time of alienation as well as those which may grow subsequently on the land and the Government shall be at liberty to cut or dig out any such trees or their roots and branches and remove them from the land at their pleasure. The alienee shall not be entitled to cut or remove them or cause them to be cut or removed without the permission of the Collector of the district.

13. The alienee shall take all reasonable measures to the satisfaction of the Collector of the district for the protection of the sandalwood trees from theft or damage and for the careful protection of the immature trees growing on the land.

14. The alienee shall take steps to see that the marks made by the officers of the Government on the sandalwood

trees are preserved and are not tampered with.

15. In the event of the infringement of, or failure to observe any of the conditions (1) to (14), the alienee shall pay to the Government such compensation as is determined by the Collector of the district for any loss or damage caused by such infringement or failure on his part. The Government shall also be at liberty to resume the land and reenter o it and the whole land shall thereupon vest absolutely in the Government. In that case the alienee shall not be entitled to any compensation whatever.

(True Copy)

For Collector.

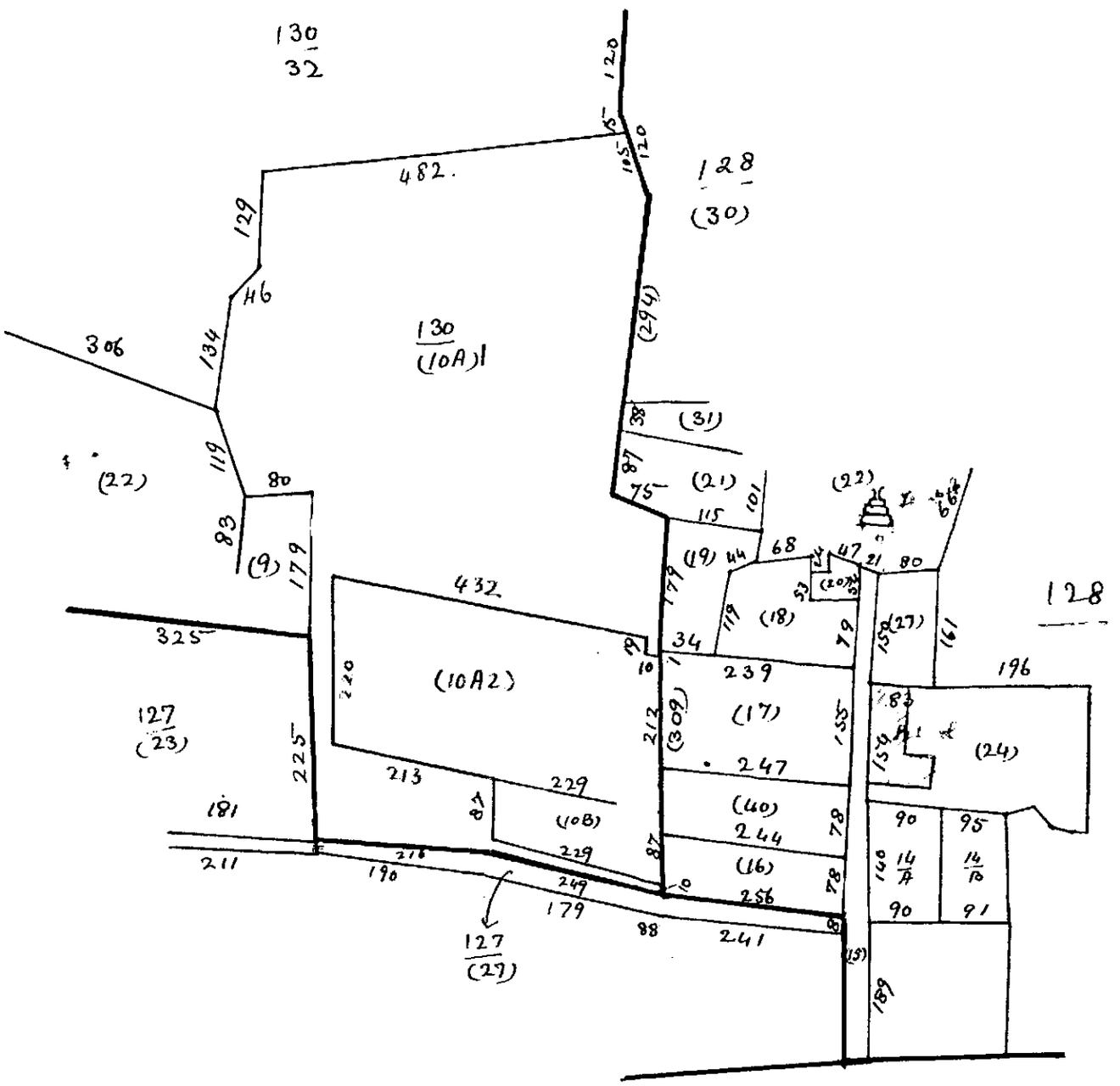
16.9.38

District South Kanara

Taluk Udipi

Sketch of Survey No. 77 Y

Village Name Shivalli.



Scale $\frac{1}{2}$" = 1 chain

Surveyed
20 f-38

Index.

Survey and Sub D No.		Kisdam	Kadim or Hosagam	No and name of the Pattadars		Remark
1		2	3		4	5
130	10A	Site available for ground rent.				Govt.
	32	wet	Kadim	175	Udipi Krishna Devaru.	
128	30	wet	do	62	Vishwandra Thirtha Swamiar of Sode mutt.	
	31	Dry	do	62	do.	
	21	Garden	Hosa.	147	Mahishamardini Durgha Devaru of Kadiyali.	
	19	do	do	147	do	
	17	do	do	147	do	
	40	Dry	Kadim	441	Laxminarayana Upadhya.	
	16	Dry	do	"	Mahalaxmi amma.	
130	10B	Ground rent	Hos.	Spl 88	Prasada Jatharma.	
127	27	Pormboke				Lane
	23	Dry	Kadim	21	Vidyasamudra Thirtha Swamiyar of Kaniyur mutt.	
130	9	Garden	Kadim	"	Mahalaxmi amma	
	22	wet	do	"	do	
128	22	G. rent	do	147	Mahishamardini Durgha Devi of Kadiyali.	Temple.
	18	Garden	do	147	do	
	20	Garden	do	147	do	
	27	Garden	do	218	Laxminarayana Upadhya	Lane Sagara Rd.
	24	Dry	Hos.	145	Venkatkrishna Upadhya.	
	14A	Garden	Kadim	145	do.	
	14B	do	Kadim	147	Padmavi.	
72	15	Pormboke Pormboke				Path Road.

Gulvadi

ALIENATION - Land - Revenue - ~~Buildings~~ - and

(South Kanara) - Udipi Taluk -

Shivalli Village/~~town~~ - S.No. 130-10 A 2

Palg. ground - Kodiyali Higher Elementary School

Sanctioned.

Recommended.

Sanctioned.

of F. 5034-38. From the Coll of South Kanara

Ref C.3228-38.B3 dated-14.9.38

98/17.10 · 98/13.10 RD 15/10

Rep- Mis. 2846 dt 12-10-38

~~the Collector of the~~ ...

The Board ~~recommends~~ sanctions the alienation of the plot of land comprised in S.No. ~~130~~ 130-10 A 2 of Shivalli village Udipi taluk measuring ~~about~~ 95 cents in favour of the manager for the time being of the Kodiyali ~~Govt~~ Udipi for use as the site of a play..

2. The alienation will be free of charge for the occupancy right and free of ~~ground rent~~ assessment ~~but subject to assessment which will be liable to revision and subject to the payment of Rs. being the value of the trees standing on the land and subject also~~ to the following conditions to which the alienee has agreed:-

(1) The land shall be used as the site of a playground Kasiyali Higher Elementary School Kudpi, and for no other purpose.

~~(2) The playground shall be laid out within two years from the date of the grant~~

(2) ~~(2)~~ No ~~other~~ building shall be constructed on the land without the previous permission of the Collector of the district.

(~~4~~ 3) The Government may resume the land wholly or in part with any buildings thereon, in the event of the infringement of any of the conditions of the grant. In the event of such resumption no compensation shall be payable for any improvements that may have been effected or other works that may have been executed on the land ~~of~~ by the grantee ~~(and the grantee shall not be entitled to the repayment of any amount that may have been paid to the Government for the grant)~~. If there are buildings on the land, the Government may direct the grantee to remove them.

(~~4~~) The Government may resume the land wholly or in part with any buildings thereon if in the opinion of the Government the land is required for a public purpose, or for conducting mining operations. ~~(In the event of such resumption~~ or in the event of the acquisition of the land for any reasons, the compensation apayable for the ~~land~~ and trees shall in no case exceed the amount ~~paid~~ for them by the grantee or their value at ~~the time~~ of resumption or acquisition whichever may

(5) In the event of resumption under condition if there are buildings on the land the Government may at their option either,

(a) purchase the buildings,
(b) direct the grantee to remove the buildings.

(6) In the event of the resumption of the land followed by the purchase of the buildings under condition (5)a or in the event of the acquisition of the land for any reason the compensation payable for buildings or other improvements shall in no case exceed ~~(the amount paid for them by the grantee at the time of alienation or their value at the time of resumption or acquisition whichever may be less, together with) the~~

the initial cost or the value at the time of resumption or acquisition, which ever may be less, of any buildings erected or other improvements effected on the land by the grantee in accordance with the terms of the grant. But in no circumstances shall any compensation be paid by the Government in respect of buildings constructed in contraven

(7) In the event of the grantee refusing to remove the buildings when so directed under condition (3) or (5) b the Government may remove them and realise the cost of removal by the sale of the materials.

(8) In the event of the voluntary relinquishment of the land by the grantee no compensation shall be payable for any improvements that may have been effected or for works that may have been executed on the land by the grantee ~~and the grantee shall not be entitled to the repayment of any amount that may have been paid to the Government for the grant.~~

(9) The Government reserve to themselves the rights to all sandalwood trees and their branches and roots which exist at the time of alienation as well as those which may grow subsequently on the land and the Government shall be at liberty to cut or dig out any such trees or their roots and branches and remove them from the land and dispose of them at their pleasure. The alienee shall not be entitled to cut or remove them or cause them to be cut or removed without the permission of the Collector of the district.

(10) The alienee shall take all reasonable measures to the satisfaction of the Collector of the District for the protection of the sandalwood trees from theft or damage and for the careful protection of the immature xxx trees growing on the land.

(11) The alienee shall take steps to see that the marks made by the officers of the Government on the sandalwood trees are preserved and are not tampered with, and

(12) In the event of the infringement of, or failure to observe, any of the conditions (9) to (11), the alienee shall pay to the Government such compensation as is determined by the Collector of the district for any loss or damage caused by such [illegible] on his part. The Government shall also be at liberty to resume the land and re-enter on it and the same shall thereupon vest absolutely in the Government. In that case the alinee shall not be entitled to any compensation whatever.

(13) Full land revenue shall be levied if at any time any net income is derived from the land or if any other conditions of the alienation are infringed. In the latter case, the land revenue shall be levied from the date of such infringement

11/1038

M1, 3.2

Note File:-

RS(RE)

Alienation - Land and Revenue - (S. Kanara) Udipi taluk - Shivalli vge - S.No. 130/10A Part - Kadiyali Higher Elementary School.

revised note

Page 19

E.5034. Coll. of South Kanara Dt 14.8.38.

The proposal in the current file relates to the alienation of land and land revenue in S.No. 130-10-A2 (measuring 95 cents of Shivalli village - Udipi taluk, in favour of the Manager for the time being of the ~~Shivalli~~ Kadiyali Higher Elementary School in use as a playground. There are no trees on the site applied for. The Director of public Instruct has recommended the proposed alienation. The Coll. recommends that the value of the land need not be collected as the site is for a non-remunerative purpose. His recommends may be accepted.

P.1 of

sic P.13 of

The proposal is complete. The alienation of land free of market value and of land revenue may be sanctioned by the Full Board. The market value of the land ~~here~~ is Rs. 475.

for Regd. Exp.

1.10.38

M1 4/10

M3

M2 1.10.38

CIRCULATION CHECK SLIP.

D.P.No. Mis 2846 ~~Single Member.~~

Dated 12.10.38 ~~Two Members.~~

Full Board.

I.A.	A.D.S. & L.R.	Asstt:Secy. L.R.	Sett.Rev.	Sep:	J.S. Secy.	M 3	M 2	M 1
						-	H	-

(1) Open file seen by

(2) Final draft seen by

(3) ~~Now circulated to.~~

(4) ~~Initials.~~

Passed for record.

~~**Secretary~~

~~Joint Secretary.~~

A.S. (L.R)

~~A.S. (Sett)~~

~~A.S. (Sep:Rev)~~

~~A.D.S. & L.R.~~

~~I.A.~~

**Note.- ENTRIES NOT REQUIRED TO BE SCORED OUT.